



City of Portland, Oregon
Bureau of Development Services
Land Use Services

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner
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Date: September 5, 2013
To: Interested Person
From: Kate Marcello, Land Use Services
503-823-7538 | kate.marcello@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on Thursday, September 26, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the case file number, LU 13-193404 DZ, in your letter. It also is helpful to address your letter to me, Kate Marcello.

CASE FILE NUMBER: LU 13-193404 DZ **New Mechanical Unit on Rooftop of Union Way**

Applicant: Jonathan Heppner, Lever Architecture | (503) 928-6045
239 NW 13th Avenue, Suite 303 | Portland, OR 97212

Owner: The Alley LLC (Contact: Jonathan Ledesma) | (503) 922-0056
413 SW 13th Ave #300 | Portland, OR 97205-2305

Site Address: 1025 SW Stark Street

Legal Description: BLOCK 87 TL 2400 LAND & IMPS SEE R651727 (R667709151) FOR AIRSPACE, PORTLAND

Tax Account No.: R667709150, R667709150, R667709150

State ID No.: 1N1E34CC 02400, 1N1E34CC 02400, 1N1E34CC 02400

Quarter Section: 3029

Neighborhood: Portland Downtown; contact Jennifer Geske at 503-750-9843

Business District: None

District Coalition: Neighbors West/Northwest; contact Mark Sieber at 503-823-4212

Plan District: Central City Plan District; West End Subdistrict

Zoning: Central Commercial (CX) base zone; Design (d) overlay zone

Case Type: Design Review (DZ)

Procedure: Type II (an administrative decision, with appeal to the Design Commission)

PROPOSAL: The applicant requests Design Review approval for a new mechanical unit to be installed on the rooftop of Union Way, which is a recently completed project comprised of several micro-retail spaces. The new mechanical unit will be approximately 6'-2" long x 3'-8" wide x 2'-10" tall.

(The 2'-10" height includes the mounting curb.) The unit will be located near the mid-point of the rooftop.

Because the proposal is for non-exempt exterior alterations to an existing building on a site with design overlay zoning in the Central City Plan District, Design Review is required prior to the issuance of permits.

RELEVANT APPROVAL CRITERIA: In order to be approved, this proposal must comply with the approval criteria of Title 33 (Portland Zoning Code). The relevant criteria are the *Central City Fundamental Design Guidelines*.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on August 16, 2013 and determined to be complete on September 3, 2013.

DECISION-MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and:

- Approve the proposal,
- Approve the proposal with conditions, or
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Design Commission. This review body will hold a public hearing for the appeal.

When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised

prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures:

Zoning Map
Site/Roof Plan



ZONING



Site



Historic Landmark

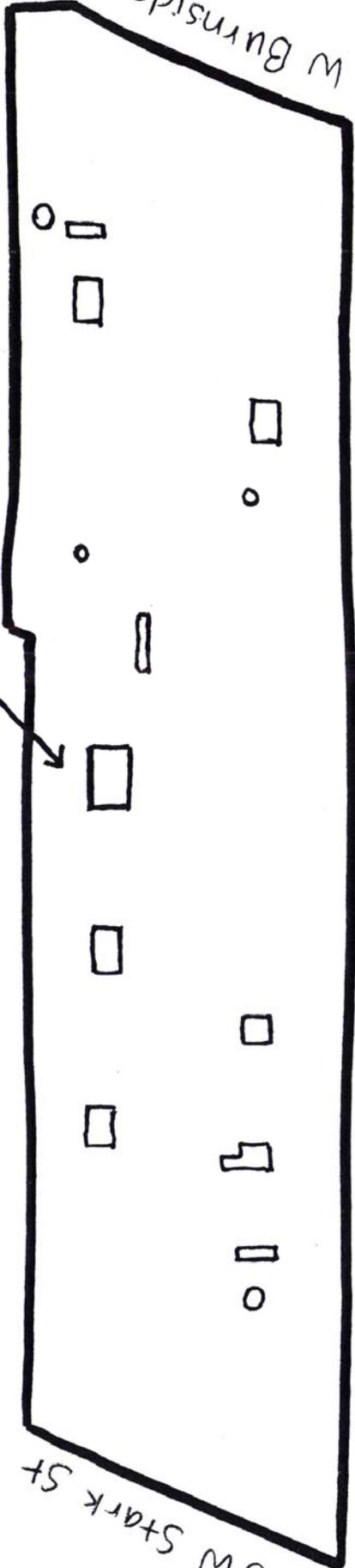


This site lies within the:
CENTRAL CITY PLAN DISTRICT
DOWNTOWN - WEST END

File No. LU 13-193404 DZ
 1/4 Section 3029
 Scale 1 inch = 200 feet
 State_Id 1N1E34CC 2400
 Exhibit B (Aug 22, 2013)

W Burnside St / SW Oak St

Proposed new mechanical unit



SW Stark St



Site / Roof Plan Scale = 1/8" = 1'-0" Reduced sheet size.

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